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10/516,954	06/27/2005	Kari Saviharju	JHN-30-574	8619

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EXAMINER

RINEHART, KENNETH

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3743

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Examination on the merits has ended. It should be kept in mind that applicant cannot, as a matter of right, amend any finally rejected claims or add new claims after a final rejection (37 CFR 1.116). In the response the applicant has amended claims 32-34 with no justification.

Additionally, the applicant has failed to provide good and sufficient reasons why the amendment is necessary and was not earlier introduced (37 CFR 1.116(b)). Therefore, the amendment will not be entered. The applicant argues that “WO '690 does not disclose walls of a cavity that are: (1) cooled with the same water circulating through the walls of the boiler or (2) having water cooling tubes that are at least partially formed of the walls of the boiler. There is no suggestion in WO '690 that the superheating boiler and waste liquor recovery boiler share water cooled tubes or water cooled walls.” However, WO in view of Ham disclose or teach the limitations as claimed. In this case the applicant is using the known technique of providing for a common wall between the combustion chamber and the boiler to improve similar devices in the same way. Ham and Engstrom illustrates this concept. The applicant argues that “WO'690 does not expressly or inherently a plurality of superheaters.” 690 discloses a plurality of superheating surfaces and from the drawings the superheaters at 51 are in multiple blocks. Regarding Engstrom the reference specifically states that the product gases are burned in a combustion chamber of the boiler. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. Ham discloses the superheaters as can be seen from the figures. Regarding applicant's comments concerning mixing this mixing will inherently occur. The examiner believes the reference read on the broad claim limitations. Regarding applicant's

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arguments concerning claims 28,30, and 32-40, the references either teach or disclose the limitations as claimed.

/Kenneth B Rinehart/

Supervisory Patent Examiner, Art Unit 3743